

**ATTORNEY DOCKET NO.**  
**1105-CA (formerly 50246-076)**

**PATENT**

**EXPEDITED PROCEDURE**

**REMARKS**

Claims 1-9 and 11-17 are pending in the Application. Claims 1-9 and 14-17 are allowed. Claim 11 stands rejected. Claims 12 and 13 stand objected to.

Applicants respectfully traverse the rejection and objections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw the rejection and objections. Claim 11 is cancelled. Claim 12 is amended to rewrite the claim in independent form. The amendments were not made to overcome prior art, were not narrowing and were not made for any substantial reason related to patentability. Therefore, no prosecution history estoppel arises. *Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

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**CONCLUSION**

As a result of the foregoing, Applicant asserts that the remaining Claims in the Application are in condition for allowance and respectfully requests an early allowance of such Claims.

Applicant respectfully requests that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 23-2426 of WINSTEAD SECHREST & MINICK P.C.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

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